

Martha Sheehy  
SHEEHY LAW FIRM  
P. O. Box 584  
Billings, Montana 59103-0584  
Telephone: (406) 252-2004  
msheehy@sheehylawfirm.com

Attorney for Defendant Crum & Forster  
Specialty Insurance Company

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

GENERON IGS, INC.

Plaintiff,

-VS-

CRUM & FORSTER SPECIALTY  
INSURANCE COMPANY,

Defendant.

Cause No. \_\_\_\_\_

**NOTICE OF REMOVAL**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant Crum & Forster Specialty Insurance Company (“Crum & Forster”) hereby removes to this Court the state court action described below:

1. On January 5, 2018, an action was commenced in the Fourteenth Judicial District Court, Musselshell County, Montana, entitled *Generon IGS, Inc., Plaintiff v. Crum & Forster Insurance Company, Defendant*, Cause No. DV 18-04.
2. Plaintiff served its Complaint on the Montana Commissioner of Securities & Insurance, Montana State Auditor, on January 16, 2018.
3. On February 15, 2018, Defendant Crum & Forster first learned of information establishing that diversity of citizenship existed as a basis for removal to federal court.
4. Having received notice of the action 30 days ago, and having learned today that diversity exists, Crum & Forster's notice of removal is timely.
5. Attached are a copy of the Complaint for Declaratory Action in this case (Exhibit A), and the service documents (Exhibit B), which constitute all the process, pleadings, and orders sent to defendant in the state court action.
6. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendant Crum & Forster pursuant to the provisions of 28 U.S.C. § 1441(b) in that it is a civil action between citizens of different states and

the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs. Plaintiff seeks insurance proceeds in excess of the jurisdictional limits. The Complaint for Declaratory Relief states underlying damages of at least two million dollars for which Generon IGS, Inc. seeks coverage. (Ex. A, ¶5).

7. Plaintiff Generon IGS, Inc. asserts in the Complaint for Declaratory Relief that it is a corporation organized under the laws of Delaware, with its principal place of business in Houston, Texas (Ex. A, ¶1). However, in the Underlying Notice of Removal, attached hereto as Ex. C, Plaintiff Generon IGS, Inc. represented to the Court that it is a corporation organized under the laws of Texas, with a principal place of business in Texas (Ex. C, ¶7.f).
8. Defendant Crum & Forster is a corporation with its statutory home office in Delaware (Complaint, Ex. A, ¶2). It has a place of business in New Jersey (Complaint, Ex. A, ¶2). As such, Defendant Crum & Forster is a resident and citizen of Delaware or New Jersey. Crum & Forster is the only defendant named in this action. Therefore, there is complete diversity of citizenship between the parties.
9. Subject matter jurisdiction is based on 28 U.S.C. § 1332. Based on the jurisdictional allegations set forth in the Underlying Notice of Removal,

Plaintiff Generon IGS, Inc. is a resident and citizen of Texas. Complete diversity exists as the only Defendant, Crum & Forster, is incorporated in Delaware and has a principal place of business in New Jersey. Moreover, this action involves a controversy between citizens of different states and the amount in controversy exceeds \$75,000.00, as Generon IGS, Inc. seeks insurance proceeds amounting more than two million dollars in the Underlying Complaint (Ex. A, ¶5).

10. Subject matter jurisdiction is alternatively based upon the Declaratory Judgment Act, 28 U.S.C. § 2201 (a).

WHEREFORE, Defendant Crum & Forster prays that this action be removed to the United States District Court for the District of Montana.

DATED this 15th day of February, 2018.

SHEEHY LAW FIRM

By /s/Martha Sheehy  
MARTHA SHEEHY  
P. O. Box 584  
Billings, Montana 59103-0584  
[Msheehy@sheehylawfirm.com](mailto:Msheehy@sheehylawfirm.com)

Attorney for Defendant Crum &  
Forster Specialty Insurance  
Company